

United States District Court

for

The Western District of New York

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Robert Logel

Case Number: 1:09CR00132-001

Name of Sentencing Judicial Officer: William M. Skretny, Chief U.S. District Judge

Date of Original Sentence: October 6, 2009

Original Offense: Wire Fraud, in violation of 18 U.S.C. §1343.

Original Sentence: Forty-Eight (48) month imprisonment followed by three (3) years supervised release. Special conditions to include: search and seizure; prohibited from establishing any other business and/or corporate entity without approval from U.S. Probation Office; financial disclosure; no new debt/credit.

Type of Supervision: Supervised Release

Date Supervision Commenced: May 17, 2013

PETITIONING THE COURT

- ☐ To extend the term of supervision for _ years, for a total term of _ years.
☒ To modify the conditions of supervision as follows:

Due to the defendant's offense conduct, a third party risk notification is required. The defendant must notify his employer of his conviction and/or criminal history.

CAUSE

Prior to his term of supervised release, the subject was permitted by the Bureau of Prisons to serve the remainder of his incarceration at the Residential Re-entry Center (RRC) in Buffalo, NY. While there, the subject obtained employment at Chef's Choice in Depew, NY.

In February 2013, this officer was contacted by a U.S. Probation Officer in the Southern District of Ohio. He stated that he had an offender, Terry Robbins, on supervision, who was operating a business, called "Litter One." He reported that Mr. Robbins and Mr. Logel were incarcerated at the same BOP facility and that the Litter One website stated the company had a distribution center located in Depew, NY. He reported he believed that Mr. Logel may be working for this company. A review of the RRC's records revealed the subject's address for employment, which he reported was Chef's Choice, was the same address listed on the Litter One website. Following this discovery, this officer made a field contact at the subject's employment. The business appeared to be Chef's

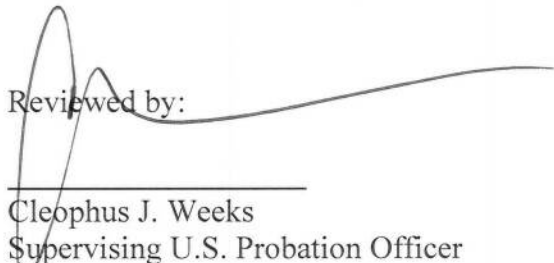
RE: Robert Logel
1:09CR00132-001

Choice, however, there were boxes labeled "Litter One," observed at the business. The subject was not confronted on this discovery, due to the ongoing investigation being conducted by the U.S. Probation Officer in Ohio.

Upon commencing his term of supervised release, the subject met with this officer. He was asked what his plans were for employment and he stated he would like to start working for a company called Litter One, in June 2013. At that point, the subject was informed that we were aware of the company and his employment there. It should be noted that the subject was working for two employers, Chef's Choice and Litter One, while at the RRC. He reported Chef's Choice to the RRC staff but did not disclose he was working for Litter One. Failure to disclose employment to the RRC is against their policy. Additionally, the RRC would not have permitted him or any resident, to work for a company operated by another offender on supervised release. The subject also stated to this officer that he had plans to start employment with the company in the near future, when in fact he had already began employment with the company. Based on the circumstances surrounding Litter One, the subject was directed to cease employment with the company immediately.

Given the events that took place, immediately following the subject's release to the community, our office believes a third party risk condition would be appropriate. The subject had no objection to this proposed modification and signed the attached Probation Form 49.

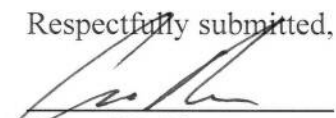
Reviewed by:



Cleophus J. Weeks
Supervising U.S. Probation Officer

Respectfully submitted,

by



Corey M. Ricca
U.S. Probation Officer
Date: 5/28/13

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

5/30/13
Date

PROB 49
(Revised 11/98)

United States District Court
Western District of New York

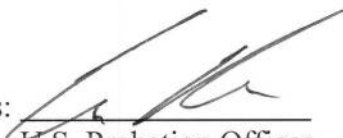
**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Due to the defendant's offense conduct, a third-party risk notification is required. The defendant must notify his employer of his conviction and/or criminal history.

Witness:


U.S. Probation Officer
Corey M. Ricca

Signed:


Supervised Releasee
Robert Logel

5/28/13
Date